

BETH C. DRAIN, CA CSR NO. 7152

BEFORE THE
LEGISLATIVE SUBCOMMITTEE OF THE
INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE
TO THE
CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE
ORGANIZED PURSUANT TO THE
CALIFORNIA STEM CELL RESEARCH AND CURES ACT
REGULAR MEETING

LOCATION: AS INDICATED ON THE AGENDA

DATE: MAY 15, 2019
10:30 A.M.

REPORTER: BETH C. DRAIN, CA CSR
CSR. NO. 7152

FILE NO.: 2019-09

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I N D E X

ITEM DESCRIPTION	PAGE NO.
OPEN SESSION	
1. CALL TO ORDER.	3
2. ROLL CALL.	3
3. CONSIDERATION OF ASSEMBLY BILL AB617.	3
4. CONSIDERATION OF ASSEMBLY BILL AB1105.	7
5. PUBLIC COMMENT.	NONE
6. ADJOURNMENT.	11

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WEDNESDAY, MAY 15, 2019; 10:30 A.M.

MR. TORRES: BEFORE WE BEGIN THE MEETING,
I WANT TO WELCOME J.T., OUR CHAIR, AS OUR NEWEST
MEMBER OF THE LEGISLATIVE SUBCOMMITTEE.

CHAIRMAN THOMAS: THANK YOU, MR. CHAIRMAN.

MR. TORRES: CALL THE ROLL TO ESTABLISH A
QUORUM.

MS. BONNEVILLE: ART TORRES.

MR. TORRES: HERE.

MS. BONNEVILLE: FRANCISCO PRIETO.

DR. PRIETO: HERE.

MS. BONNEVILLE: JEFF SHEEHY.

MR. SHEEHY: HERE.

MS. BONNEVILLE: AL ROWLETT. JONATHAN
THOMAS.

CHAIRMAN THOMAS: HERE.

MS. BONNEVILLE: JOE PANETTA. WE HAVE A
QUORUM.

MR. TORRES: THE QUORUM HAS BEEN NOTED.
THE FIRST ITEM OF BUSINESS IS TO TAKE UP ON OUR
AGENDA AS LISTED AB 617 BY ASSEMBLY MEMBER MULLINS.
THIS WAS INTRODUCED RECENTLY TO DEAL WITH STEM CELL
CLINICS LICENSING AND REGULATION. IT WOULD REQUIRE
THE MEDICAL BOARD OF CALIFORNIA TO ESTABLISH A

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1 REGENERATIVE MEDICINE ADVISORY COMMITTEE, THERAPY
2 ADVISORY COMMITTEE, COMPOSED OF THREE MEMBERS OF THE
3 MEDICAL BOARD, THREE APPOINTED BY CIRM, TWO MEMBERS
4 OF THE OSTEOPATHIC MEDICAL BOARD, AND ONE MEMBER OF
5 THE BOARD OF REGISTERED NURSING.

6 THIS GROUP WOULD THEN MAKE RECOMMENDATIONS
7 TO THE LEGISLATURE ON OR BEFORE JULY 1, 2020, TO
8 STATE OVERSIGHT AND OF LICENSEES OFFERING STEM CELL
9 TREATMENTS. IT ALSO AUTHORIZES THE MEDICAL BOARD TO
10 ENACT EMERGENCY REGULATIONS.

11 I THINK WE ALL KNOW THE NECESSITY FOR
12 ESTABLISHING SOME TYPE OF ORDER AND LICENSING
13 REGULATION AUTHORITY. AND WE FELT, IN MY
14 CONVERSATIONS WITH ASSEMBLY MEMBER MULLIN, THAT THE
15 BEST ALTERNATIVE WOULD BE TO GO TO THE MEDICAL
16 BOARD, WHICH HAD ALREADY BEEN DOING PRELIMINARY WORK
17 IN THIS AREA.

18 DR. GEOFF LOMAX, WHO PROVIDED ME A COPY OF
19 THE REPORT THAT WAS ISSUED IN APRIL BY THE NATIONAL
20 ASSOCIATION FEDERATION OF STATE MEDICAL BOARDS, ALSO
21 MADE SIX RECOMMENDATIONS IN THEIR 42-PAGE REPORT
22 WHICH CITED MANY OF THE ISSUES THAT WE HAVE TALKED
23 ABOUT WITH RESPECT TO UNSCRUPULOUS LICENSEES
24 WHO -- ALLEGED LICENSEES WHO ARE PERFORMING
25 TREATMENT THAT SHOULD NOT BE PERFORMED OR

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1 EFFICACIOUS.

2 SO MY RECOMMENDATION IS THAT WE SUPPORT
3 THIS LEGISLATION. IT'S CURRENTLY IN THE
4 APPROPRIATIONS COMMITTEE FOR HEARING TOMORROW IN
5 SACRAMENTO. THERE'S VERY LITTLE FISCAL IMPLICATION,
6 BUT BECAUSE WE ARE CREATING ADVISORY GROUPS WHICH
7 MAY ENTAIL SOME MINIMAL COST, IT'S WHY IT WAS
8 REFERRED TO THE APPROPRIATIONS COMMITTEE FOR
9 TESTIMONY. AND THEN GO TO THE ASSEMBLY AND OVER TO
10 THE SENATE.

11 SO WE ARE WORKING, AS IS THE OFFICE OF
12 ASSEMBLY MEMBER MULLINS, VERY CLOSELY WITH THE STATE
13 MEDICAL QUALITY BOARD AND ALSO WITH THOSE PEOPLE WHO
14 ARE INVOLVED AT THE FEDERAL LEVEL. I KNOW DR. LOMAX
15 HAS BEEN IN TOUCH WITH THE FDA PEOPLE AS WELL TO
16 MAKE SURE THAT WE ARE CONSISTENT WITH WHAT PATTERNS
17 THEY SEE EMERGING AS TO WHAT KIND OF REGULATIONS
18 WOULD BE HELPFUL AND TO MAKE SURE THAT WE ARE NOT IN
19 CONFLICT.

20 SO I WOULD ENTERTAIN A MOTION TO APPROVE
21 THAT WE SUPPORT THIS LEGISLATION.

22 CHAIRMAN THOMAS: SO MOVED.

23 MR. TORRES: IS THERE A SECOND?

24 DR. PRIETO: SECOND.

25 MR. TORRES: MOVED AND SECONDED.

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1 DISCUSSION?

2 DR. PRIETO: IF THIS BILL AUTHORIZES THE
3 MEDICAL BOARD TO ISSUE EMERGENCY REGULATIONS, HOW
4 LONG DO THOSE REMAIN IN EFFECT? I DO SEE SOMETHING
5 ABOUT A 90-DAY NOTICE TO STAKEHOLDERS. THAT GOES
6 THEN THROUGH THE REGULAR RULEMAKING PROCESS?

7 MR. TOCHER: FRANCISCO, THIS IS SCOTT. AN
8 EMERGENCY REGULATION UNDER THE APA TAKES EFFECT FOR
9 270 DAYS AFTER WHICH TIME IT EXPIRES. THAT IS TO
10 PROVIDE THE ADOPTING AGENCY WITH SUFFICIENT TIME TO
11 UNDERGO THE MORE STANDARD RULEMAKING PERMANENT
12 RULEMAKING PROCESS.

13 DR. PRIETO: OKAY. THANK YOU. I FIGURED
14 SOMETHING LIKE THAT.

15 MR. TORRES: ANY OTHER QUESTIONS?

16 MR. SHEEHY: YES, I HAVE A QUESTION.
17 THREE MEMBERS ARE APPOINTED BY CIRM. HOW ARE THOSE
18 APPOINTMENTS MADE?

19 MR. TORRES: THOSE APPOINTMENTS WOULD BE
20 MADE THROUGH THE BOARD.

21 MR. SHEEHY: JUST CLARIFYING. SO THE
22 BOARD WOULD MAKE THE APPOINTMENTS?

23 MR. TORRES: RIGHT. ANY OTHER QUESTIONS?
24 ANY PUBLIC COMMENT? SEEING NONE, THE CHAIR WILL
25 ENTERTAIN A ROLL CALL.

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MS. BONNEVILLE: ART TORRES.

MR. TORRES: AYE.

MS. BONNEVILLE: FRANCISCO PRIETO.

DR. PRIETO: AYE.

MS. BONNEVILLE: JEFF SHEEHY.

MR. SHEEHY: AYE.

MS. BONNEVILLE: AL ROWLETT. JONATHAN
THOMAS.

CHAIRMAN THOMAS: YES.

MS. BONNEVILLE: JOE PANETTA. MOTION
PASSES.

MR. TORRES: ALL RIGHT. OUR NEXT ITEM
BEFORE US IS AB 1105 BY ASSEMBLY MEMBER MICHAEL
GIPSON, G-I-P-S-O-N, FROM LOS ANGELES, WATTS AREA.

THIS LEGISLATION PROPOSES TO APPROPRIATE
\$15 MILLION AS OF TODAY. WE DON'T KNOW WHAT THAT
AMOUNT WILL FINALLY BE AFTER TOMORROW'S HEARING IN
SACRAMENTO IN THE APPROPRIATIONS COMMITTEE. IT
ESTABLISHES A THREE-YEAR SICKLE CELL DISEASE CENTER
PILOT PROGRAM TO CREATE SICKLE CELL DISEASE
SPECIALTY CENTERS TO, NO. 1, HELP LINK OUTPATIENT
AND INPATIENT CARE, COORDINATION OF WHICH IS
ESSENTIAL, PROVIDING ALSO THE COMPREHENSIVE TEAMS TO
ADDRESS MEDICAL, BEHAVIORAL, AND SOCIAL NEEDS OF
PATIENTS AND FAMILIES. IT ALSO ENHANCES STATEWIDE

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1 PATIENT OUTREACH AND CASE MANAGEMENT, WHICH IS
2 EXTREMELY IMPORTANT, AND IMPROVING SURVEILLANCE AND
3 TRACKING OF THE MEDICAL AND ECONOMIC ASPECT OF SCD.
4 WE ALSO WANT TO IMPROVE BUILDING A MEDICAL WORKFORCE
5 WITH EXPERTISE IN THIS AREA.

6 THE BILL, AS I SAID BEFORE, IS UP BEFORE
7 THE APPROPRIATIONS COMMITTEE TOMORROW. WE HAVE A
8 LONG HISTORY OF SUPPORT FOR SICKLE CELL PROJECTS
9 TOTALING, I BELIEVE, 38 MILLION SO FAR THAT WE HAVE
10 PROVIDED, AND THIS IS A LEGISLATION THAT WE'VE
11 BEEN -- THAT I'VE BEEN PERSONALLY WORKING, AS HAS
12 DR. LOMAX AND OUR STAFF, AND MARIA MILLAN HAS AS
13 WELL, WITH ASSEMBLY MEMBER GIPSON AND WITH THE
14 SICKLE CELL PATIENT ADVOCACY GROUPS THAT ARE OUT
15 THERE IN THE STATE.

16 I ALSO SPOKE ON MONDAY EVENING AT AN EVENT
17 WERE I PARTICIPATED WITH SPEAKER NANCY PELOSI AND
18 CONGRESSWOMAN BARBARA LEE, WHO'S VERY SUPPORTIVE OF
19 THIS LEGISLATION AS WELL AND IS LOOKING FORWARD TO
20 SEEING IT ENDORSED BY US. AND I KNOW SHE'S WORKING
21 WITH MEMBERS OF THE APPROPRIATIONS COMMITTEE TO SEE
22 IT OUT OF THE ASSEMBLY AND THEN TO THE ASSEMBLY
23 FLOOR, AND THEN OVER TO THE SENATE.

24 AGAIN, UNCLEAR WHETHER THE TOTAL 15
25 MILLION WILL BE INCLUDED IN THE FINAL VERSION OF THE

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1 BILL. AND THERE'S NO OPPOSITION THAT I HAVE NOTED
2 IN THE LEGISLATIVE PROCESS IN THE COMMITTEES.

3 SO THE ISSUE IS BEFORE US. IS THERE A
4 MOTION TO RECOMMEND APPROVAL?

5 CHAIRMAN THOMAS: SO MOVED.

6 MR. TORRES: IS THERE A SECOND?

7 MR. SHEEHY: SECOND.

8 MR. TORRES: ALL RIGHT. MOVED BY CHAIRMAN
9 THOMAS, SECONDED BY MR. SHEEHY. DISCUSSION? ANY
10 QUESTIONS? ANY PUBLIC COMMENT?

11 DR. PRIETO: I HAVE A QUESTION.

12 MR. TORRES: SURE. OF COURSE.

13 DR. PRIETO: HOW WOULD THIS INTERFACE WITH
14 OUR SICKLE CELL PROGRAM?

15 MR. TORRES: DR. LOMAX, DO YOU WANT TO
16 RESPOND TO THAT?

17 DR. LOMAX: SURE. THANK YOU FOR THAT,
18 FRANCISCO. THIS IS GEOFF LOMAX. THE LEGISLATION
19 SETS UP OR CHARGES THE STATE HEALTH DEPARTMENT WITH
20 ESTABLISHING CRITERIA THAT WOULD BE USED IN A
21 COMPETITIVE PROCESS TO SET UP CENTERS OF EXCELLENCE.
22 SO THERE'S NO -- AT THE MOMENT THERE'S NO DIRECT
23 CONNECTION TO OUR PROGRAMS, BUT I THINK IT'S
24 PROBABLY REASONABLE TO INFER THAT, GIVEN THAT WE ARE
25 WORKING WITH THE LEADING CENTERS IN THE STATE THAT

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1 ARE TACKLING SICKLE CELL AND PERFORMING THIS
2 RESEARCH IN A VERY COMPREHENSIVE WAY, THAT I THINK
3 IT'S REASONABLE TO ASSUME THAT THOSE CENTERS WOULD,
4 AT LEAST A PORTION OF THEM WOULD, IF THIS BILL WERE
5 TO PASS, WOULD THEN GO ON TO BE PART OF THIS NETWORK
6 OF CENTERS IN THE STATE. THERE'S JUST ONLY SOME
7 LOCATIONS WITHIN CALIFORNIA THAT HAVE THE CAPACITY
8 AND EXPERTISE TO DO THE TYPE OF WORK THAT THIS BILL
9 IS ASKING FOR.

10 MR. TORRES: DOES THAT ANSWER YOUR
11 QUESTION?

12 DR. PRIETO: I THINK SO. IF I UNDERSTAND
13 CORRECTLY, THEN, THIS WOULD ESTABLISH THESE CENTERS
14 WITH SOME SORT OF ONGOING SUPPORT TO CONTINUE THE
15 WORK EVEN BEYOND WHATEVER SPECIFIC RESEARCH GRANTS
16 WE ISSUE THAT BEGINS THE WORK, IF YOU WILL.

17 MR. TORRES: YES.

18 DR. PRIETO: OKAY.

19 MR. TORRES: ALL RIGHT. ANY FURTHER
20 PUBLIC COMMENT OR QUESTIONS OR ANY MEMBERS OF
21 COMMITTEE? ALL RIGHT. THERE BEING NONE, PLEASE
22 CALL THE ROLL, MARIA.

23 MS. BONNEVILLE: ART TORRES.

24 MR. TORRES: AYE.

25 MS. BONNEVILLE: FRANCISCO PRIETO.

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DR. PRIETO: AYE.

MS. BONNEVILLE: JEFF SHEEHY.

MR. SHEEHY: AYE.

MS. BONNEVILLE: AL ROWLETT. JONATHAN
THOMAS.

CHAIRMAN THOMAS: YES.

MS. BONNEVILLE: JOE PANETTA. MOTION
PASSES.

MR. TORRES: ALL RIGHT. THANK YOU. I
THINK THAT CONCLUDES OUR BUSINESS. ANY OTHER PUBLIC
COMMENT AT ANY OF THE SITES? THERE BEING NONE, THE
MEETING IS ADJOURNED, AND WE WILL RECOMMEND THIS TO
THE FULL BOARD ON MAY 23D.

(THE MEETING WAS THEN CONCLUDED.)

REPORTER'S CERTIFICATE

I, BETH C. DRAIN, A CERTIFIED SHORTHAND REPORTER IN AND FOR THE STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE FOREGOING TRANSCRIPT OF THE TELEPHONIC PROCEEDINGS BEFORE THE LEGISLATIVE SUBCOMMITTEE OF THE INDEPENDENT CITIZEN'S OVERSIGHT COMMITTEE OF THE CALIFORNIA INSTITUTE FOR REGENERATIVE MEDICINE IN THE MATTER OF ITS REGULAR MEETING HELD ON MAY 15, 2019, WAS HELD AS HEREIN APPEARS AND THAT THIS IS THE ORIGINAL TRANSCRIPT THEREOF AND THAT THE STATEMENTS THAT APPEAR IN THIS TRANSCRIPT WERE REPORTED STENOGRAPHICALLY BY ME AND TRANSCRIBED BY ME. I ALSO CERTIFY THAT THIS TRANSCRIPT IS A TRUE AND ACCURATE RECORD OF THE PROCEEDING.

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